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Report on the work of the Ad Hoc Working Group of the Whole on the regular process for global reporting and assessment of the state of the marine environment, including socio-economic aspects

Letter dated 7 September 2010 from the Co-Chairs of the Ad Hoc Working Group of the Whole addressed to the President of the General Assembly

We have the honour to transmit to you the attached report on the work of the Ad Hoc Working Group of the Whole, which sets out in its annex the agreed recommendations to the sixty-fifth session of the General Assembly. Pursuant to paragraph 178 of General Assembly resolution 64/71, the Ad Hoc Working Group of the Whole met at United Nations Headquarters from 30 August to 3 September 2010.

We kindly request that the present letter and the report be circulated as a document of the General Assembly under the agenda item entitled "Oceans and the law of the sea".

(*Signed*) Gunnar **Pálsson**

(*Signed*) Ovídio Manuel Barbosa **Pequeño**

* A/65/150.

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Report of the Ad Hoc Working Group of the Whole on the regular process for global reporting and assessment of the state of the marine environment, including socio-economic aspects

1. The Ad Hoc Working Group of the Whole was convened pursuant to paragraph 178 of General Assembly resolution 64/71 to make recommendations to the sixty-fifth session of the Assembly on the regular process for global reporting and assessment of the state of the marine environment, including socio-economic aspects. The meeting was held at United Nations Headquarters from 30 August to 3 September 2010.

2. The meeting was presided over by two Co-Chairs, Gunnar Pálsson (Iceland) and Ovídio Manuel Barbosa Pequeño (Sao Tome and Principe), who were appointed by the President of the General Assembly in consultation with Member States. The following Friends of the Co-Chairs were nominated by the regional groups: Osman Keh Kamara (Sierra Leone) for the Group of African States; Esmaeil Baghaei Hamaneh (Islamic Republic of Iran) for the Group of Asian States; Fernanda Millicay (Argentina) for the Group of Latin American and Caribbean States; and Elizabeth J. Tirpak (United States of America) for the Group of Western European and Other States.

3. The meeting was attended by 67 representatives of States in addition to representatives of 10 intergovernmental organizations and other bodies.

4. The following supporting documentation was available to the meeting: (a) the report of the Secretary-General setting out the views of States on the fundamental building blocks of the regular process (A/65/69/Add.1); (b) the report on the results of the "assessment of assessments" (A/64/88, annex); and (c) the provisional agenda, annotated provisional agenda and format, including the proposed organization of work. Information material prepared by the Group of Experts established pursuant to paragraph 180 of resolution 64/71 was also available to delegations.

5. The Director of the Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs, Serguei Tarassenko, opened the meeting on behalf of the Secretary-General.

6. The meeting adopted the agenda with a slight amendment and proceeded with a general exchange of views. It considered modalities for the implementation of the regular process, including key features, institutional arrangements and financing. The meeting held a dialogue with the Group of Experts, and considered the objective and scope of the first cycle of the regular process, key questions to be answered and primary target audiences in order to ensure that assessments are relevant for decision makers. The meeting also considered the terms of reference for the voluntary trust fund and the scholarship fund established pursuant to paragraph 183 of resolution 64/71.

7. On the basis of those discussions, the Co-Chairs, in consultation with the Friends, prepared draft recommendations for consideration by delegations. The draft recommendations were discussed and finalized in a meeting of the Drafting Committee, which was open to all delegations. On 3 September, the Ad Hoc Working Group of the Whole adopted the recommendations, which are attached as an annex to the present report.

8. On 8 September, the Co-Chairs transmitted the present report with the recommendations to the President of the sixty-fourth session of the General Assembly.

Annex

Recommendations of the Ad Hoc Working Group of the Whole to the sixty-fifth session of the General Assembly

1. The Ad Hoc Working Group of the Whole, convened pursuant to paragraph 178 of General Assembly resolution 64/71 to further consider and make recommendations to the General Assembly at its sixty-fifth session on the implementation of the regular process for global reporting and assessment of the state of the marine environment, including socio-economic aspects, recalled the important role that oceans play in meeting internationally agreed commitments related to sustainable development and the Millennium Development Goals.

2. The Ad Hoc Working Group of the Whole also reaffirmed the recommendations made at its first meeting, as endorsed by the General Assembly in resolution 64/71, and the request made by the Assembly in the same resolution that a group of experts be constituted of a maximum of 25 experts and no more than 5 experts per regional group.

3. The Ad Hoc Working Group of the Whole acknowledged with appreciation the responses and suggestions made by the Group of Experts on the issues listed in paragraph 60 of the report on the results of the "assessment of assessments" (A/64/88), as well as the views and observations submitted by States.

4. The Ad Hoc Working Group of the Whole noted with appreciation the support provided by the Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs, the contributions made to the trust fund established pursuant to paragraph 183 of resolution 64/71 and the technical and logistical support of the United Nations Environment Programme and the Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization.

5. The Ad Hoc Working Group of the Whole, having considered the report of the Secretary-General setting forth the views of States on the fundamental building blocks of the regular process (A/65/69/Add.1), General Assembly resolution 64/71, the report of the Ad Hoc Working Group of the Whole on its meeting in 2009 (A/64/347), as well as the report on the results of the "assessment of assessments" (A/64/88), recommends to the Assembly the following course of action on the regular process.

I. Modalities for the implementation of the regular process

Key features

6. The regular process, as established under the United Nations, would be accountable to the General Assembly.

7. The regular process would be an intergovernmental process guided by international law, including the United Nations Convention on the Law of the Sea and other applicable international instruments, and take into account relevant General Assembly resolutions.

8. In order to avoid duplication, the regular process should encourage synergies with existing processes at the regional and global levels.

9. The regular process would contribute to achieving the goal of sustainable development of the oceans, seas and their resources, as well as the Millennium Development Goals.

10. The regular process, by carrying out its assessments, should aim at strengthening the science-policy interface for the sustainable use, management and conservation of the oceans and seas as well as of their resources and biodiversity, long-term human well-being and sustainable development.

11. The regular process would be an inclusive and transparent process that would provide a credible, peer-reviewed assessment, based on the best available science to enable its products to be considered as authoritative and legitimate.

12. The regular process would promote the participation of all relevant stakeholders at the national, regional and global levels.

13. The regular process should be based on priorities established by the Ad Hoc Working Group of the Whole, taking into account Governments' needs and requests.

14. The regular process should add value to the existing and future spectrum of assessments and develop a functional science-policy interface to support the sustainable development of oceans and their resources. The regular process should encourage science that is policy relevant but not policy prescriptive.

15. The assessment procedures would make use of available standards and methods developed by competent international bodies as a means of quality assurance. These standards and methods should be made explicit by the Group of Experts in a clear and descriptive way.

16. The regular process, under arrangements proposed by the Group of Experts and approved by the Ad Hoc Working Group of the Whole, will undertake post-assessment evaluations of outcomes and products. The Group of Experts will undertake periodic self-evaluations of its work in order to enhance its performance.

Capacity-building

17. Capacity-building is essential for the implementation, and is an integral part, of the regular process at all stages of its implementation.

18. The General Assembly will request the Secretary-General to invite States and relevant intergovernmental and non-governmental organizations to provide information on existing opportunities and arrangements for the transfer of technology and capacity-building to carry out assessments, including socio-economic aspects, with a view to compiling an inventory thereof, and will request the Secretary-General to submit a report to it at its sixty-sixth session.

19. The General Assembly would request the Secretary-General to invite States to provide information on their capacity-building needs, and to submit a report to it at its sixty-sixth session.

20. On the basis of identified gaps and States' needs, the regular process will contribute to the promotion and facilitation of capacity-building through international cooperation, including technical cooperation and transfer of

technology towards developing countries, in particular least developed countries, African coastal States and small island developing States.

21. Full use will be made of all channels and arrangements, both bilateral and multilateral.

Institutional arrangements

22. The General Assembly would put in place, under its aegis, the following institutional arrangements.

Relationship with the United Nations

23. The regular process would be overseen and guided by an Ad Hoc Working Group of the Whole of the General Assembly comprised of representatives of Member States. Relevant intergovernmental and non-governmental organizations with consultative status recognized by the Economic and Social Council would be invited to participate in the meetings of the Ad Hoc Working Group. Relevant scientific institutions and major groups identified in Agenda 21 may request an invitation to participate in the meetings of the Ad Hoc Working Group.

24. The Ad Hoc Working Group of the Whole would establish a management and review mechanism comprised of States among its members on the basis of equitable geographical representation.

Group of Experts

25. A group of experts would be an integral part of the regular process.

26. For the duration of the first phase of the first assessment cycle, the members of the Group of Experts, who have been appointed by Member States pursuant to paragraph 180 of General Assembly resolution 64/71, would be requested to continue. Regional groups that have not yet appointed experts to the Group of Experts will be able to do so in accordance with relevant provisions of paragraph 180 of General Assembly resolution 64/71. In the second phase of the first cycle and in future cycles, the Group of Experts should be appointed by Member States according to the principle of equitable geographical distribution, ensuring adequate expertise in the disciplines relevant to the assessment of the state of the marine environment, including socio-economic aspects.

27. The General Assembly would request the Group of Experts to work with the assistance of the secretariat of the regular process to develop a set of options necessary to achieve the deadline of 2014 recommended by the Ad Hoc Working Group of the Whole in its report (A/64/347), for the completion of its first cycle, to be submitted for consideration and adoption, as appropriate, by the Ad Hoc Working Group.

28. The Group of Experts would conduct its work through, inter alia, an Assessment Working Group and a Capacity-Building Working Group.

Secretariat support

29. The Secretary-General would designate the Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs, to provide secretariat support to the regular process, including its established institutions. The capacity of the Division should be

strengthened accordingly, through mobilizing all available extrabudgetary and existing resources. The Secretary-General would invite the Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization, the United Nations Environment Programme, the International Maritime Organization and the Food and Agriculture Organization of the United Nations, and other competent United Nations specialized agencies, as appropriate, to provide technical and scientific support to the regular process.

II. Questions to be answered and primary target audiences

30. The first phase of the first cycle (2010-2012) will provide for the preparation of key questions to be answered by the first integrated assessment, at all regional levels, to ensure an effective science-policy relationship and the participation of all relevant stakeholders, in particular local experts, in defining specific objectives and the scope of the assessments.

31. In addition to preparing a global integrated assessment of the state of the marine environment, including socio-economic aspects, the regular process will address key specific questions submitted by States through the Ad Hoc Working Group of the Whole.

32. States will be the primary target audience of the regular process.

III. Objective and scope of the first cycle (2010-2014) of the regular process

33. The General Assembly would reaffirm the objectives and scope of the regular process as agreed upon by the Ad Hoc Working Group of the Whole at its first meeting.

IV. Financial and other support

34. The General Assembly would urge Member States, international financial institutions, donor agencies, intergovernmental organizations, non-governmental organizations and natural and juridical persons to make financial contributions to the voluntary trust funds established pursuant to paragraph 183 of General Assembly resolution 64/71 and to make other contributions to the regular process.